

CITY OF BELMONT

PLANNING COMMISSION

SUMMARY MINUTES

TUESDAY, AUGUST 18, 2009, 7:00 PM

Chair Horton called the meeting to order at 7:00 p.m. at One Twin Pines Lane, City Hall Council Chambers.

1. ROLL CALL

Commissioners Present: Horton, Mayer, Frautschi, Mercer, Reed, Mathewson
Commissioners Absent: Parsons

Staff Present: Community Development Director de Melo (CDD), Senior Planner DiDonato (SP), City Attorney Zafferano (CA), Recording Secretary Flores (RS), Daniel Ourtiague, Parks Manager (PM)

2. AGENDA AMENDMENTS - None

3. COMMUNITY FORUM (Public Comments) – None

4. CONSENT CALENDAR

4A. Minutes of July 21, 2009

Commissioner Mercer clarified that item 7E under Reports, Studies and Updates, was a discussion about 900 South Road and should have been listed under item 7I.

Vice Chair Mayer clarified that his remark at the meeting about wanting to leave Belmont was facetious.

MOTION: By Commissioner Mathewson, seconded by Commissioner Frautschi, to approve the Minutes of July 21, 2009 with the correction noted.

Ayes: Mathewson, Frautschi, Reed, Mercer, Mayer, Horton
Noes: None
Absent: Parsons

Motion passed 6/0/1

5. PUBLIC HEARINGS:

5A. PUBLIC HEARING – 1753 Valley View

To consider a Single-Family Design Review to construct a new 3,495 square foot single-family residence, which is below the 3,500 square feet maximum permitted for the zoning district (Appl. No. 2009-0005) APN: 044-091-090; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15303

APPLICANT: Coast to Coast Development

OWNERS: Rick and Dorene Cole

PROJECT PLANNER: Damon DiDonato, (650) 637-2908

SP DiDonato summarized the Staff Report, recommending approval subject to the conditions attached to the proposed resolution. He added that a communication that was received after preparation of the Staff Report was included in the packet and that the opposition to the project was based on the location being too close to the property line and privacy and view impacts. He noted that the City Zoning Ordinance has no

protections for privacy or private views for single-family design reviews; they are only applicable to floor area exception analysis, which do not apply to this project.

Responding to Commissioner Frautschi's questions, SP DiDonato stated that the City does not have an ordinance that protects sun light, the project only contains 27% total hardscape and that chimneys would be included in the height limit of 28'. Commissioner Frautschi noted that he did not see a chimney included in the plan.

Responding to Commissioner Mercer's question, SP DiDonato stated that the plans show that the 40 cubic yards of cut will be off-hauled.

Commissioner Reed confirmed with SP DiDonato that if the easement running between the two lots was moved to the east side of the property, as approved by the City Council 1977 but never recorded by the previous property owner, the house that is presently abutting the property line to the west could be moved to a more central location and the setback would be substantially larger on the west side. SP DiDonato added that if they abandoned the right-of-way and recorded the alternate easement on the left side of the site, the property would go back into the hands of the current property owners so that they could merge the lots and would have a larger building envelope. This action would likely impact some trees on the property and would involve more grading.

SP DiDonato confirmed for Vice Chair Mayer that it was entirely the owner's responsibility to see to it that the change was recorded based on the City Council decision, and that since they never fulfilled the conditions of the approval, the approval is no longer valid.

A representative from Coast to Coast Development, addressed the Commission, noting that the actual moving of the right-of-way was never recorded and it was never a sure thing that it would actually happen, and that designing a house that would straddle two lots with a right-of-way would have been a very lengthy process and would probably have involved removing at least 3 or 4 large mature Oak trees and require additional grading. He added that the existing two-car garage is 50% off the property into the public right-of-way and is virtually inaccessible, and that they will be using gas fire places that do not require chimneys. He said that he tried to be as sensitive as possible to the neighbors' views and had proposed some landscape screening along the property lines to help give both neighbors more privacy, and was open to continuing the discussion along those lines.

Commissioner Frautschi asked if the two windows on the back side of the garage are absolutely necessary or if they could be replaced by skylights. The representative from Coast to Coast responded that he thought the glass in the garage could become something that allows light to enter without having a view out, adding that the garage is 50 to 60' from the neighbors and looks onto the back lot.

Chair Horton opened the Public Hearing.

Tran Tran and Ali Abdollahi, residents of Belmont came to the speakers podium to convey the kind of information that cannot be included in the plans. Ms. Tran discussed in detail her concern that they will lose the dream setting that they bought into since they feel they will lose their privacy and peaceful enjoyment of their own back yard. She made the following points: 1) They do not think the project fits into the neighborhood since it would be the largest in the neighborhood and reaches the maximum allowed by law, and could impact the future if more homes of this size are built; 2) The project does not fit into its own setting and will overshadow the surroundings and take away from the natural beauty of the area; 3) The project impacts her property with a 65' length and a setback of only 7' and windows and a deck overlooking their property; 4) The house will shadow their yard from the morning sun which will impact their vegetable garden and will limit what they can do in that 65' stretch of their property. 5) The fact that Belmont's laws do not protect privacy and private views is inconsistent with Belmont's vision statement of having that small town ambience where people connect with neighborly interaction and where neighbors are considerate of each other's concerns. She concluded that they want to see the Cole's realize their dream home but do not want to lose their dream setting as a result.

Nancy Popa, resident of Terrace Drive, spoke in support of the project.

RS Flores stated that there were no additional speakers, but a letter of support from Loraine Ray, resident of Valley View, had been received; she distributed it to the Commission.

Rick Cole, property owner, said that he and his family have lived on the property for 30 years and had planned to improve it since the day they bought it. Their dream has always been to put together a beautiful home and they want to keep peace with all the neighbors and will be happy to work with plants and covering to soften the wall that the neighbors are concerned about. He added that the existing house is 33' high and the new house will be 28' high so that the views will be expanded, and he believes it will be a big improvement for the whole City.

MOTION: By Commissioner Mathewson, seconded by Vice Chair Mayer, to close the Public Hearing. Motion passed 6/0/1 by a show of hands.

Commissioner Frautschi thought that it is a very strong well-designed project, and suggested some design changes for the interior. Referring to Conditions of Approval 8, 9 and 10 on page 5 regarding demolition and recycling, he asked that a letter be submitted to the City for future reference on the actual outcome of the three conditions. He also requested the addition of the standard condition requiring a 300' notice regarding the schedule and staging for hauling of the cut from the property. He empathized with the neighbors at 1755, noting that he believed the plantings will be the key to preserving their privacy, and felt that the applicant had made a really good faith attempt at responding to their concerns. He noted that the Commission had previously tried to institute some of the desired protections but there was no support in the community because it would require a lot of unwanted restrictions. He believed the design fits the setting and that the house does fit into the neighborhood as there are four houses the same size on smaller lots in that neighborhood.

Commissioner Reed liked the project and design. He was surprised that the house is not more centrally located on the large amount of land available in order to provide the maximum privacy to the homeowner and the neighbors, but since it falls within the legal limit he reluctantly supported it.

Commissioner Mayer also had empathy for the neighbors, but felt that the impact will be minimal and that as time goes by they will find that the house fits in nicely. He could make all of the findings.

Commissioner Mercer initially had a lot of concerns about the project but after looking at the property she concluded that the house is placed in the best location because it already has a building pad, it requires minimal grading and no removal of any trees. She could make all the findings. She felt that removal of the existing garage, which will regain a public view, and the sloping of the roofs are improvements that offset any disadvantages. She recommended that the Coles erect a story pole for their own piece of mind and that of the neighbors, and encouraged them to consider using obscure glass in the windows on the west side as suggested by Commissioner Frautschi, not only in the garage but perhaps some of the other windows, but she did not make that a condition of approval. She did want to add a condition that a hauling schedule for big deliveries be scheduled and noticed. She felt it was important that the owner's choice with respect to the right-of-way be documented in case the City someday decides to activate and use it.

Commissioner Mathewson believed the project will be a good addition and could make all the findings.

Chair Horton concurred that it was a good project. She did not consider the windows as being a concern given where they are located. She thought the house was a bit of a departure in style from some of the houses on the street but that it will look well. She felt that the fact that so many trees are being preserved was a wonderful thing and could make all the findings.

Commissioner Frautschi added that the Staff Report calls for curbing and gutter where the existing garage is being removed; however, there are no curbs or gutters along the remainder of the property line. SP DiDonato will call that inconsistency to the attention of the Public Works Department.

MOTION: By Vice Chair Mayer, seconded by Commissioner Mercer, adopting the Resolution approving a Single-Family Design Review at 1753 Valley View Avenue, with the additional condition regarding the schedule for removal of the cut and a letter from the applicant regarding their recycling efforts (Appl. 2009-0005).

Ayes: Mayer, Mercer, Mathewson, Reed, Frautschi, Horton

Noes: None

Absent: Parsons

Motion passed 6/0/1

Chair Horton announced that this decision may be appealed within 10 calendar days.

6. STUDY SESSION

6A. Semeria Park – Preliminary Design Review (Intersection of Semeria and Casa Bona Avenues)
Parks Manager Daniel Ourtiague (PM) summarized the staff memorandum and introduced John Cahalan, Landscape Architect for the project. Utilizing a Power Point presentation, they gave an overview of their analysis of the site, traffic and parking options, two preliminary conceptual design options and a proposed plant list. PM Ourtiague added that the Parks and Recreation Commission preferred Concept A, with the inclusion of one picnic table and additional smaller types of tables. The P&R Commission recommendation was for two parking spaces instead of three, which would allow for a larger play structure, earth tone colors, and a rubberized surface in the play area that would be flush with hardscape grades so that it is ADA accessible, has some buoyancy, and is specially formulated for playground areas. Shade was also a big topic, so that staff would possibly recommend 36" box shade trees to get them established rather quickly. Other comments were to possibly reduce some of the hardscape areas between the play areas, which could affect the type of equipment used. PM Ourtiague asked for Planning Commission questions and comments on the overall design and the proposed landscaping.

CDD de Melo interjected that to establish a park in this R-1B zone would require a Conditional Use Permit and companion Design Review application as well as the certification of the accompanying environmental study. These actions would come back to the Planning Commission somewhere before, during or after the presentation of the final design to the City Council. Everything would then be taken back to Council for final approval before addressing budget issues.

Commissioner Reed commented that if one of the two parking spots is handicap accessible it essentially becomes one regular spot. Responding to Commissioner Reed's question about why no restroom is included, PM Ourtiague stated that this will be classified as a neighborhood park, not a destination park. Most users will go to it for two hours or less and it will not be a gathering area for large picnics where people will stay for longer periods of time, and that along with a restroom structure comes maintenance, closure, vandalism and other safety and security concerns.

Vice Chair Mayer asked if it would be fair to assess that the main anticipated use of this park would involve families and children. PM Ourtiague responded that some elderly people in the community expressed their desires for the smaller tables where they could possibly gather and play a board game, so staff is trying to include that into the design. Vice Chair Mayer felt that Plan B better addressed a wider spectrum of needs and asked if it would be possible to move the play structure plus two swings to a play area and still have more tables and gathering areas than they have in Plan A. He also asked if any thought had been given to a gazebo or some structure that would act as a central gathering point. PM Ourtiague responded he forgot to mention that one of the P&R Commission recommendations was to possibly construct some sort of arbor over the picnic table area.

Responding to Commissioner Mercer's question regarding the proposed removal of the two small trees at the north end of the site, PM Ourtiague responded that he believed they are 4" diameter Eugénias that have a relatively strong lean to them and are not a healthy specimen.

Linda Bentsen, resident of Casa Bona Avenue, stated that she has been waiting for this park for 30 years and is anxious that it is actually going to happen. Regarding the parking issue, she stated that there are 3 or 4 off-street parking spaces available in the area so that the two parking spaces with one handicapped and the one non-handicapped are sufficient. She wants all of the area to be used for the park and not for parking.

Commissioner Frautschi commented that he preferred Plan A, however he would go with the parking option of one handicapped parking space. They could then gain two spaces and come up with a Plan C where they

could use the larger swing set from Plan B and the play structure from Plan A and move the picnic tables and trees to make room for maybe two picnic tables or a gazebo in that structure. The less parking the better because it is to be a neighborhood park. He suggested incorporating a few vines occasionally on the fence to soften it, and the inclusion of a bike rack. He liked the suggested landscape materials and the idea of two separate play structures for different age groups. He thanked John and Daniel for all of their hard work and commented on how happy he is that this park is going to happen.

Commissioner Reed liked Concept A and would be fine with the one disabled parking spot only. He agreed with the idea of smaller tables and suggested they might consider a permanent chess table, for example. He felt that the tot lot should be fenced in and that the play area for older kids should be separate but suggested that, if two parking spots are going to be given up, they consider making that area a little more exciting with things to climb on and the swings. He hoped the proposed park at Davey Glen is as nice as this one and felt that this was wonderful and a great job.

Vice Chair Mayer agreed that parking could be limited to just the one disabled spot in order to expand the park for additional tables and to accommodate more play equipment for various age groups. He too had thought about a permanent chess table and liked the idea of an arbor or pergola to have a focal point for people to gather.

Commissioner Mathewson liked the comments from the other Commissioners and agreed that it would be nice to keep all four swings and have the play structure. He could accept either plan.

Commissioner Mercer liked the conceptual designs with respect to the different areas and the entrances to the park. She agreed that the one disabled parking space was all that was necessary, since if there is a second parking space it would be filled up with a resident's car. She did not feel it is the City's obligation to provide parking for the neighborhood and suggested that red-curb one side of the street would make the street a lot safer to travel. She loved the concept of the 3 or 4 areas but found there was a lot of hardscape. She suggested that they re-evaluate the figure 8 concrete paths – sacrificing one of the concrete rings might provide extra space to fit in something else. She did not see a need for more than one large picnic table since there is no restroom and since the park is not big enough to accommodate multiple large parties at a time. She also suggested that instead of having four park benches scattered around the walkway they might reduce that to pairs of smaller benches. She did not support the idea of an arbor over the picnic table since it would create shade all year round and it can be cold if you can't sit in the sun; a large deciduous tree might be a better option.

Chair Horton agreed with reducing the parking to one disabled spot, since they heard from at least one representative from the neighborhood that there is plenty of parking. She felt that a play structure for tots is appropriate for this size park and they could forget the bucket swing, and that a few 24-36" square tables with 4 seats rather than a picnic table might be better. She too thought of an arbor, noting that 36" box trees are not that big, and suggested they might consider an umbrella that could be put up and down. She thought it was a great park.

Commissioner Reed added that he would not be opposed to reducing some of the hardscape as long as all areas are accessible with a stroller, and he reiterated his view the need to have a short fence around the tot area so that tots can be put in the tot area, the gate closed and mom can sit at a bench and not have to worry about the little one running out. The swings for the older kids are great, but they're just swings – there's nothing else there for them.

Commissioner Frautschi mentioned that something that came out at the public presentation that they had not heard at this meeting was that the figure 8 hardscape designs were actually paths on which kids could ride their bicycles and roller skate.

Responding to Commissioner Reed's question, PM Ourtiague stated that the Parks and Recreation Commission will be reviewing the Davey Glen Park plan at its September 2nd meeting.

Chair Horton called for a brief recess at 8:30 p.m.

6B. Economic Development/Village Districts Zoning Amendment Project

Community Development Director de Melo stated this was the second round of discussions on the Economic Development Village Districts Zoning Amendment Project. Discussion ensued between staff and the Commission regarding Development Standards. It was later agreed due to the late hour to return on September 15, 2009 to begin discussion on the next sections: Design Criteria and Sign Regulations.

7. REPORTS, STUDIES AND UPDATES:

CDD de Melo reported as follows:

7A. Motel 6 – 1101 Shoreway Road
No update at this time.

7B. Charles Armstrong School – 1405 Solana Drive
No update at this time.

7C. Ralston/US-101 Landscape Project
No update at this time.

7D. San Mateo Development – North Road/43rd Avenue
There was a public review period that ended on that day (August 18) for the variance for a modified parking arrangement for the residential units being proposed. He will check with San Mateo to see if they approved that, and, if so, the project will move forward with the one driveway.

7E. 900 Sixth Avenue – Belmont Vista Facility
No update at this time.

7F. Caltrain Landscape Area
No update at this time.

7G. Parking Study – Downtown Village Areas
No update at this time.

7H. High-Speed Train (HST) Project – San Francisco to San Jose
There is a Town Hall Meeting sponsored by Congresswoman Anna Eshoo on August 26. The City will be finalizing its outreach plan.

7I. 900 South Road – Single-Family Dwelling
No update at this time.

7J. Graffiti Removal – Old County Road
No update at this time.

7K. Chuck's Donuts – 641 Ralston
No update at this time.

7L. Emmett House
Construction is underway.

7M. Landscape Improvements – City Properties – 780 El Camino Real, 875 Ralston Avenue, Sixth/Emmett Streets
No update at this time.

Other Items

Since Election Day falls on a Commission Tuesday (November 3) CDD de Melo requested that the meeting be moved to Thursday, November 5th.

8. CITY COUNCIL MEETING OF TUESDAY, SEPTEMBER 8, 2009
(Regular meeting of August 25th is cancelled.)

Liaison: Chair Horton
Alternate Liaison: Commissioner Frautschi

9. ADJOURNMENT:
The meeting was adjourned at 11:16 p.m. to a Regular Planning Commission Meeting on Tuesday, September 1, 2009 at 7:00 p.m. in Belmont City Hall.

Carlos de Melo
Planning Commission Secretary

CD's of Planning Commission Meetings are available in the
Community Development Department.
Please call (650) 595-7416 to schedule an appointment.